



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 07, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

37 January 7, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
PORTION OF BREA CANYON CUTOFF COURT
WEST OF BREA CANYON CUTOFF ROAD
IN THE UNINCORPORATED COMMUNITY OF ROWLAND HEIGHTS
(SUPERVISORIAL DISTRICT 4)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate an easement for public road and highway purposes on Brea Canyon Cutoff Court west of Brea Canyon Cutoff Road in the unincorporated community of Rowland Heights that is no longer needed for public use. The vacation has been requested by the underlying property owner to allow for modified road improvements.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that a portion of Brea Canyon Cutoff Court west of Brea Canyon Cutoff Road in the unincorporated community of Rowland Heights is excess with no in-place public utility facilities and not required for street and highway purposes and that it may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.
3. Find that a portion of Brea Canyon Cutoff Court west of Brea Canyon Cutoff Road in the unincorporated community of Rowland Heights is not useful as a nonmotorized transportation facility pursuant to Section 892 of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation.

5. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles to vacate a portion of Brea Canyon Cutoff Court west of Brea Canyon Cutoff Road (Easement) in the unincorporated community of Rowland Heights, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1,720 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The County's interest in the Easement was acquired in 2011 by dedication in Tract No. 54341, filed in Book 1367, pages 50, 51, and 52, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as an easement for public road and highway purposes.

Mr. Kevin Tsai, on behalf of Harmony Family Limited, the underlying property owner, requested the vacation of the Easement to allow for modified road improvements.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes.

The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easement and will result in the property being unencumbered by the Easement and available to the property owner for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the excess road easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of the Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
PORTION OF BREA CANYON CUTOFF COURT
WEST OF BREA CANYON CUTOFF ROAD**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for public road and highway purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement west of Brea Canyon Cutoff Road is located in the unincorporated community of Rowland Heights in the County of Los Angeles, State of California.
2. The Easement has been determined to be excess with no in-place public utility facilities and not required for street or highway purposes.
3. The Easement is not useful as a nonmotorized transportation facility as defined in Section 887 of the California Streets and Highways Code.
4. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the California Streets and Highways Code, commencing with Section 8330.
5. The Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will no longer be a public easement.
6. From and after the date this resolution is recorded, the Easement will no longer constitute a street, highway, or public service easement.

The foregoing resolution was on the 7th day of January, 2014, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By


Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By


Deputy



RA:mr

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EXHIBIT A

Project Name: **BREA CANYON CUTOFF COURT
WEST OF BREA CANYON
CUTOFF ROAD 9-1VAC**
A.M.B. 8269-017-035
T.G. 679-F6
I.M. 099-317
R.D. 417
S.D. 4
P.C.A. M1388104

LEGAL DESCRIPTION

PARCEL NO. 9-1VAC (Vacation of easement for public road and highway purposes):

That portion of Brea Canyon Cutoff Court, 60 feet wide and variable width, as shown on map of Tract No. 54341, filed in Book 1367, pages 50, 51, and 52, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within a strip of land 9.50 feet wide, the southwesterly sideline of said strip being described as follows:

Commencing at the northwesterly terminus of that certain curve concave to the northeast and having a radius of 180.00 feet in the southwesterly sideline of said Brea Canyon Cutoff Court; thence southeasterly along said curve through a central angle of 11°47'36", an arc distance of 37.05 feet to the TRUE POINT OF BEGINNING; thence continuing southeasterly along said curve through a central angle of 59°11'16", an arc distance of 185.94 feet.

Containing 1,720± square feet

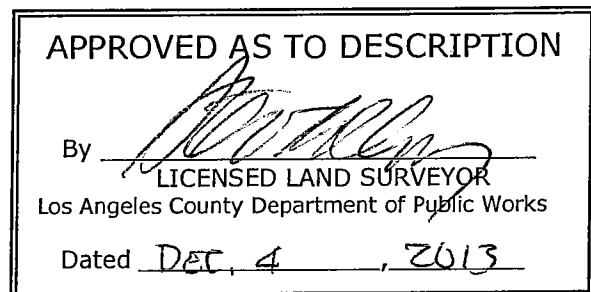
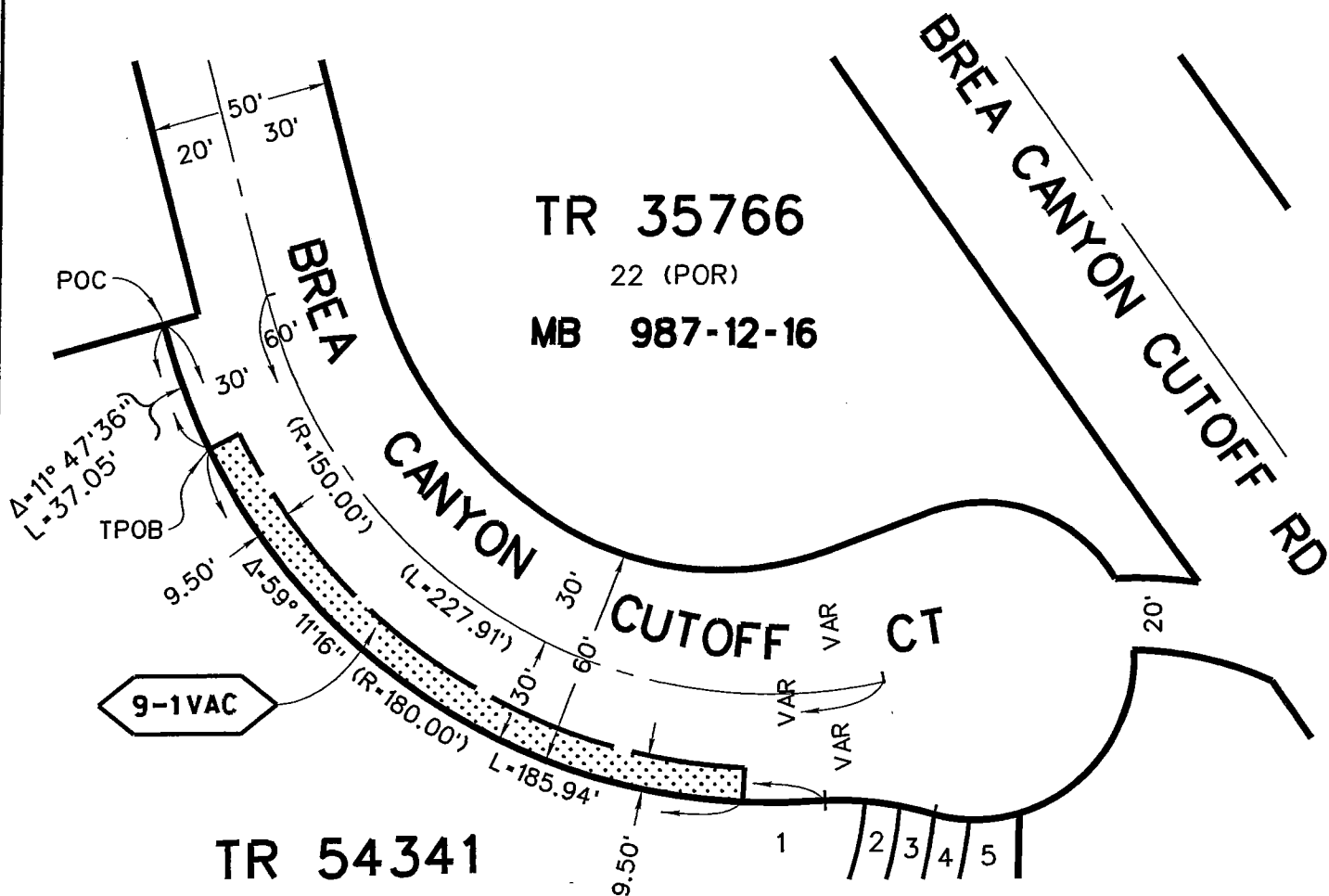


EXHIBIT B

TR 35766

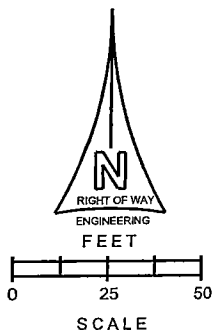
22 (POR)


MB 987-12-16



TR 54341

MB 1367-50-52



BY  Dec. 4, 2013
 LICENSED SURVEYOR DATE

LEGEND



PROPOSED VACATION OF
 ROAD EASEMENT
 TOTAL AREA = 1,720± SQ.FT.

() DENOTES RECORD DIMENSION

ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS
 SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

T.G. 679-F6
 I.M. 099-317
 S.D. 4
 R.D. 417

BREA CANYON CUTOFF COURT
 WEST OF
 BREA CANYON CUTOFF ROAD

DATE
 12-03-13

SCALE:
 1" = 50'

A.I.N
 8269-017-035

PREPARED BY R. AVANCENA

PROJECT I.D.
 MPV0000144

PROJECT NO.
 M1388104